

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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WD OF WI

UNITED STATES OF AMERICA

INDICTMENT

v.

Case No.

18 CR 028 JDP

JORGE CONSUEGRA-ROJAS,
[REDACTED] and
PEDRO LORENZO-CONCEPCION,

18 U.S.C. § 1029(b)(2)
18 U.S.C. § 1029(a)(1)
18 U.S.C. § 1029(a)(3)
18 U.S.C. § 1029(a)(4)
18 U.S.C. § 2

Defendants.

THE GRAND JURY CHARGES:

COUNT 1

1. Beginning on or about August 7, 2016, and continuing to September 12, 2016, in the Western District of Wisconsin and elsewhere, the defendants,

JORGE CONSUEGRA-ROJAS,
[REDACTED] and
PEDRO LORENZO-CONCEPCION,

knowingly and with intent to defraud, conspired with each other and with others, known and unknown to the grand jury, to commit the following offenses:

- (a) using one or more counterfeit access devices in and affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(1).
- (b) possessing fifteen or more unauthorized access devices and affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

2. It was part of the conspiracy that:

a. CONSUEGRA-ROJAS, [REDACTED] and LORENZO-CONCEPCION obtained counterfeit access devices in the form of credit and debit cards;

b. The magnetic strip for each of the credit and debit cards was encoded with the account information of the actual credit card holder;

c. CONSUEGRA-ROJAS, [REDACTED] and LORENZO-CONCEPCION traveled together to multiple states, including Wisconsin and Minnesota, and used the counterfeit cards to purchase goods.

d. CONSUEGRA-ROJAS, [REDACTED] and LORENZO-CONCEPCION possessed computers and flash drives containing hundreds of stolen credit and debit card numbers. The defendants also possessed a credit card reader/writer that had the ability to use the stolen credit and debit card numbers to produce counterfeit access devices.

3. In furtherance of the conspiracy, on or about the dates indicated below, one or more of the conspirators conducted fraudulent transactions with counterfeit access devices:

Date	Merchant	Location	Number of Transactions	Number of Fraudulent Cards used	Purchase Total
08/19/2016	Hyvee	Madison, WI	1	1	\$ 111.54
08/20/2016	Festival Foods	Mauston, WI	1	1	\$ 110.69
08/20/2016	Festival Foods	Eau Claire, WI	1	1	\$ 55.64
08/26/2016	Festival Foods	Mauston, WI	3	3	\$ 621.33
08/29/2016	Super America	Osseo, WI	1	1	\$ 51.67
08/29/2016	Ross	Oshkosh, WI	1	1	\$ 280.00
08/30/2016	Hooters	Brookfield, WI	3	2	\$ 484.40
08/30/2016	Panos Char House	Brookfield, WI	1	1	\$ 20.00
09/06/2016	Walmart	Coon Rapids, MN	1	1	\$ 107.29
09/06/2016	Walmart	Fridley, MN	10	4	\$ 1,506.87
09/06/2016	Sam's Club	Fridley, MN	3	3	\$ 347.61
09/07/2016	Sam's Club	Bloomington, MN	5	4	\$ 3,322.45
09/08/2016	Sam's Club	Shakopee, MN	3	2	\$ 599.30
09/08/2016	Sam's Club	Bloomington, MN	1	1	\$ 262.30
09/08/2016	Sam's Club	St. Louis Park, MN	6	3	\$ 800.38
09/09/2016	Sam's Club	Bloomington, MN	5	2	\$ 982.92
09/09/2016	Sam's Club	St. Louis Park, MN	16	5	\$ 2,533.01
09/09/2016	Sam's Club	Shakopee, MN	16	8	\$ 3,277.46
09/09/2016	Home Depot	Shakopee, MN	8	7	\$ 767.12
09/09/2016	Home Depot	Eden Prairie, MN	4	4	\$ 389.85
09/09/2016	Home Depot	Bloomington, MN	3	3	\$ 291.44
09/09/2016	Walmart	Bloomington, MN	11	9	\$ 1,809.68
09/09/2016	Sam's Club	Shakopee, MN	13	6	\$ 3,086.67
09/09/2016	Sam's Club	St. Louis Park, MN	9	4	\$ 1,361.70
09/10/2016	Walmart	Bloomington, MN	11	6	\$ 1,679.53
09/10/2016	Sam's Club	Fridley, MN	2	2	\$ 409.31
09/10/2016	Sam's Club	Bloomington, MN	3	3	\$ 601.72
09/10/2016	Sam's Club	Shakopee, MN	2	2	\$ 412.96
09/10/2016	Home Depot	Shakopee, MN	10	5	\$ 914.19

Date	Merchant	Location	Number of Transactions	Number of Fraudulent Cards used	Purchase Total
09/10/2016	Home Depot	Eden Prairie, MN	4	4	\$ 383.82
09/10/2016	Home Depot	Bloomington, MN	5	3	\$ 480.34
09/10/2016	Sam's Club	St. Louis Park, MN	6	5	\$ 1,180.93
09/11/2016	Home Depot	Apple Valley, MN	6	3	\$ 575.10
09/11/2016	Home Depot	Burnsville, MN	12	7	\$ 1,142.71
09/11/2016	Home Depot	Eagan, MN	13	6	\$ 1,240.47
09/11/2016	Walmart	Eagan, MN	1	1	\$ 107.88
09/11/2016	Sam's Club	St. Louis Park, MN	1	1	\$ 843.04
09/12/2016	Sam's Club	Shakopee, MN	2	2	\$ 244.95
09/12/2016	Sam's Club	Woodbury, MN	1	1	\$ 139.24

(All in violation of Title 18, United States Code, Section 1029(b)(2)).

COUNT 2

On or about August 20, 2016, in the Western District of Wisconsin, the defendant,

[REDACTED]

knowingly and with intent to defraud used one or more counterfeit access devices affecting interstate commerce, specifically, to purchase a Mastercard gift card at Festival Foods, Mauston, Wisconsin.

(In violation of Title 18, United States Code, Section 1029(a)(1)).

COUNT 3

On or about August 26, 2016, in the Western District of Wisconsin, the defendant,

[REDACTED]

knowingly and with intent to defraud used one or more counterfeit access devices affecting interstate commerce, specifically, to purchase Home Depot gift cards at Festival Foods, Mauston, Wisconsin.

(In violation of Title 18, United States Code, Section 1029(a)(1)).

COUNT 4

On or about September 12, 2016, in the Western District of Wisconsin, the defendants,

JORGE CONSUEGRA-ROJAS,
[REDACTED] and
PEDRO LORENZO-CONCEPCION,

knowingly and with intent to defraud possessed fifteen or more counterfeit and unauthorized access devices, specifically, debit and credit cards numbers, in a manner affecting interstate commerce.

(In violation of Title 18, United States Code, Sections 1029(a)(3) and 2).

COUNT 5

On or about September 12, 2016, in the Western District of Wisconsin, the defendants,

JORGE CONSUEGRA-ROJAS,
[REDACTED] and
PEDRO LORENZO-CONCEPCION,

knowingly and with intent to defraud, possessed and had control and custody of, device-making equipment, specifically, six credit card skimming devices, with the offense affecting interstate commerce.

(In violation of Title 18, United States Code, Section 1029(a)(4)).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1-5 of this Indictment are incorporate here for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C).

2. Upon conviction of Counts 1 or 4 of this Indictment, the defendants,

JORGE CONSUEGRA-ROJAS,
[REDACTED] and
PEDRO LORENZO-CONCEPCION,

shall forfeit to the United States of America --

- a. pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations;
- b. pursuant to Title 18, United States Code, Section 1029(c)(1)(C), any personal property used or intended to be used to commit the offenses.
- c. the property to be forfeited includes, but is not limited to:
 - (1) 66 Home Depot gift cards recovered in Mauston, Wisconsin, on September 12, 2016;

(2) 23 Walmart gift cards recovered in Mauston, Wisconsin, on September 12, 2016;

(3) 15 Hooters gift cards recovered in Mauston, Wisconsin, on September 12, 2016;

(4) 10 Vanilla brand Mastercard gift cards recovered in Mauston, Wisconsin, on September 12, 2016;

(4) \$13,000 in United States currency representing the funds paid by Incomm Financial Services to recover the value of Vanilla Mastercard gift cards recovered in Mauston, Wisconsin, on September 12, 2016.

3. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2) and Title 28, United States

Code, Section 2461(c).

All pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C) and 28 U.S.C. §
2461(c).

A TRUE BILL



PRESIDING JUROR



SCOTT C. BLADER
United States Attorney

Indictment returned: 2-15-18